

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

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In the Matter of:

SUPPLEMENT NO. 1 OF TARIFF)	
P.S.C. KY. NO. 1 OF WESTERN)	CASE NO. 8622
UNION TELEGRAPH COMPANY)	

O R D E R

On July 9, 1982, Western Union Telegraph Company ("Western Union") filed an application with the Commission to cancel its Tariff P.S.C. Ky. No. 1, effective August 18, 1982. On August 18, 1982, the application was suspended to January 18, 1983, to allow additional time for investigation.

The Commission, having considered the evidence of record and being advised, is of the opinion and finds that:

1. No motion for public hearing or objection to the application has been filed. A public hearing is not in the public interest and should not be held.

2. On December 29, 1981, the Record Carrier Competition Act of 1981 ("RCCA") became effective. The legislation reflects the intent of the Congress of the United States to stimulate competition in the record communications industry by preempting state regulation and limiting Federal Communications Commission regulation.

3. The principal record communication services offered by Western Union and affected by the RCCA and Telex are TWX teletype-

writer service and Public Message telegram service. Total Kentucky intrastate revenue from these services in 1980 was \$130,311.

IT IS THEREFORE ORDERED that, as a result of the RCCA, the Commission no longer has jurisdiction over the intrastate record communication service operations of Western Union.

IT IS FURTHER ORDERED that the application of Western Union to cancel its Tariff P.S.C. Ky. No. 1 is hereby approved, effective on and after the date of this Order.

IT IS FURTHER ORDERED that within 20 days from the date of this Order Western Union shall file revised tariff sheets with the Commission implementing the cancellation of its Tariff P.S.C. Ky. No. 1.

Done at Frankfort, Kentucky, this 7th day of October, 1982.

PUBLIC SERVICE COMMISSION

Marlin M. Voth
Chairman

Lorraine Randall
Vice Chairman

L. Carr
Commissioner

ATTEST:

Secretary